



Economic and Social Council

Distr.
GENERAL

E/1982/3/Add.28
9 January 1984

ORIGINAL: ENGLISH

First regular session of 1984

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Reports submitted in accordance with Council resolution 1988 (LX)
by States parties to the Covenant, concerning rights covered by
articles 13 to 15

Addendum

FINLAND

[28 November 1983]

INTRODUCTION

For a more complete survey of the development of Finnish education during the period 1979-1981, reference is made to the reports sent every two years to the International Bureau of Education. The sections and paragraphs below are numbered in accordance with the questionnaire which appears in the annex to the note by the Secretary-General (E/1982/3).

I. ARTICLE 13: RIGHT TO EDUCATION

- A. Principle laws, administrative regulations, collective agreements, court decisions and other arrangements relevant to the right of everyone to education in its various aspects

Primary School Act, sections 42 and 43 (247/57) and Educational School System Act, section 2 (443/70).

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B. Measures taken to promote the full realization of the rights of everyone to education

- (1) Primary School Act, section 1.
- (2) Decree on the comprehensive school, section 28.

Section 2 of the above Decree, which is scheduled to enter into force on 1 August 1985, emphasizes in particular the enhancement of the rights of everyone to education:

"Instruction and other activities in the comprehensive school shall be so arranged that they provide the pupils with the necessary preparedness with a view to the development of the personality, society and working life, choice of vocation and further studies, the living surroundings and the protection of nature, the national culture and national values, international co-operation and the promotion of peace, and equality between the sexes."

The above covers items 1 to 6 of the question.

C. Right to primary education

- (1) See reply in section B above. See also pages 7 and 8 of Educational Development in Finland 1978-1981.
- (2) One hundred per cent of children are covered by primary education.
- (3) The whole comprehensive school is free of charge (grades 1 to 9).
- (4) There are no special difficulties affecting the degree of realization of this right.

D. Right to secondary education

- (1) The Act on the development of secondary education (1978). See also pages 8 and 9 of Educational Development in Finland 1978-1981.
- (2) Measures taken include the Act on the development of secondary education (1978) and the related decrees, implementation plans and development programmes. The entire secondary education system (the upper secondary school and the vocational education) will be reformed in the period 1982-1988.
- (3) See above reply.
- (4) The insufficiency of openings concerns in particular vocational institutions in the technical, commercial and agricultural and forestry fields.

Regional equality and equality between the sexes have been difficult to achieve.

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E. Right to higher education

(1) General and specific measures taken to make higher education equally accessible to all on the basis of capacity include:

- (a) Act on the development of higher education in 1967-1986 (228/66);
- (b) Decree on the development of higher education in 1967-1986 (455/66);
- (c) Act on teacher education (844/71);
- (d) Decree on teacher education (503/73);

(e) The acts and decrees pertaining to the individual universities and other institutions of higher education define the eligibility for admission in the institutions concerned.

(2) Practical steps taken to provide financial and other assistance to students in higher education, including measures directed at the progressive introduction of free higher education, are as follows:

- (a) Act on study support (28/72);
- (b) Decree on study support (287/72);

(c) All institutions of higher education and universities are state institutions. By decision of Parliament, all tuition fees have been abolished; thus, higher education is free of charge.

(3) There are no discrimination problems in making higher education equally accessible to all.

F. Right to fundamental education

(1) Regarding the adult education system, see pages 117 to 129 of Educational Development in Finland 1978-1981.

(2) There are no special difficulties affecting the implementation of this right.

(3) Only statistical data related to evening secondary schools, folk high schools and civic institutes are available.

G. Development of a system of schools

(1) Primary School Act (1957), Educational School System Act (1968), Act on the comprehensive school (1983) and Act on the development of secondary education (1978).

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(2) Schemes and practical measures taken to develop a system of schools include the following:

(a) Comprehensive school and the upper secondary school:

(i) Development programme concerning the comprehensive school, Act on state aid, grants and loans to municipal comprehensive schools, upper secondary schools and public libraries;

(ii) Decision by the Council of State concerning provisions regarding constructional drawings, work reports and standard prices for comprehensive school buildings (revised at regular intervals);

(b) Vocational education:

(i) Act on state aid and grants, and subsidized interest rate loans to some vocational institutions (1975/75);

(ii) Decision by the Council of State concerning provisions related to supplementary aid for the annual maintenance costs of vocational institutions in development areas;

(iii) Act concerning the promotion of vocational education in development areas (641/75);

(iv) Decision by the Council of State concerning the arrangement of free accommodation and school transportation for students in vocational institutions in development areas (195/76);

(c) Study material:

(i) Support is given from the State budget for the development and production of textbooks of limited distribution and in narrow fields. The planning of the use of the funds is the responsibility of the National Board of General Education and the National Board of Vocational Education, through the initiative of which the services of the Government Printing Centre may be used;

(ii) The State Audio-Visual Centre produces and distributes material for educational needs within its own sector.

(3) Demographic forecasts and statistics of the Central Statistical Office and educational statistics.

(4) In general, the greatest problem is connected with the allocation of resources for the development of the educational system.

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H. Establishment of an adequate fellowship system

(1) Act on study support (28/72), Decree on study support (287/72) and Decree on the administration of study support (299/72).

(2) See above reply.

(3) The greatest problem is the insufficiency of funds for an efficient development of study support.

I. Improvement of the material conditions of teaching staff

(1) Act and Decree on the remuneration of holders of state posts and positions (1030/42, 36/43); Act on the remuneration, pensions and family pensions of comprehensive school employees (9/72), and the related Decree (165/70); Act on the State collective wage agreement (664/70); Act on the bargaining right of holders of state posts and positions (82/43); the State collective wage agreement; Act on the pensions of officials and workers within the municipal administration (202/64); Act on the municipal collective wage agreement (669/70) and the general municipal collective wage agreement.

(2) The collective wage agreement regulates the terms of employment in the public as well as the private sector and covers remuneration, social benefits and complementary teacher education.

(3) The teachers' organizations are represented in all important committees, commissions and working groups which deal with educational planning and development. The educational authorities at all levels request statements from the teachers' organizations in all central educational matters.

J. Right to choice of school

(1) Act on state support to municipal and private secondary schools (248/68) and Decree on municipal and private secondary schools (444/70).

The above-mentioned Act and Decree include provisions concerning the activities of private schools corresponding to the comprehensive school and upper secondary school. These schools work according to the same principles as the schools in the public sector with respect to teacher competence, remuneration and curricula. Thus, they are part of the official school system. The private schools at primary level are free of charge, and the private upper secondary schools collect the same tuition fees as the municipal schools.

The foreign language schools (Lycée franco-finlandais and the Finnish-Russian school) act on the basis of separate regulations, as do the three Steiner schools. These schools provide the same eligibility for further studies as the municipal and state schools. In Finland, school attendance is not compulsory but education is. Private schools can be freely founded. In a legal sense they act as private

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institutions providing educational services but are not part of the formal school system. They do not have the right to award certificates and receive state aid. The students in these schools have to test their knowledge of the comprehensive school or the upper secondary school curricula in examinations arranged by the public schools.

(2) Section 8 of the Act on the freedom of religion states:

"If religious instruction in primary schools, secondary schools or other educational institutions maintained by the State is given according to a certain religious denomination, a student who adopts to another religion, or who does not adopt to any religion, shall, at the request of his/her legal guardian, be exempted from such religious instruction."

Section 6.2 of the Educational School System Act states:

"Five or more students who referring to the Act on freedom of religion have been exempted from the religious instruction at school and who do not get corresponding instruction outside the school, will receive teaching in the history of religions and ethics instead of religious instruction. Whenever, on the basis of the Act on freedom of religion at least five students of the same denomination have been exempted from the religious instruction and if their legal guardians demand instruction in their own religion, the school shall provide such instruction."

(3) According to the Primary School Act, the comprehensive school shall provide religious instruction according to the denomination adopted by the majority of the students. As for the language of instruction, Finland is, according to the Constitution Act, a bilingual country, the official languages of which are Finnish and Swedish. The Primary School Act states that the arrangement of instruction in any other language is regulated by governmental decree. This, however, has never happened (see the reply to item 1 above on foreign language schools). The Saami language enjoys to some extent a special status. According to the Decree on the comprehensive school, Saami language pupils shall, as far as possible, have instruction in their mother tongue. Regarding Finnish- and Swedish-speaking children, the Decree on the comprehensive school states:

"If in the [school] district of the child there is no comprehensive school giving instruction in the child's mother tongue, he/she may be admitted to a comprehensive school of his/her own language in another district, or to a comprehensive school of another language in his/her own district."

(4) There are no special difficulties affecting the degree of realization of the right.

K. Liberty to establish and direct educational institutions

(1) and (2) See section J above.

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II. ARTICLE 14: PRINCIPLE OF COMPULSORY EDUCATION,
FREE OF CHARGE FOR ALL

(1) and (2) See pages 7 and 8 of Educational Development in Finland 1978-1981.

(3) There are no special problems in connection with the promotion of this principle.

III. ARTICLE 15: RIGHT TO TAKE PART IN CULTURAL LIFE AND TO ENJOY
THE BENEFITS OF SCIENTIFIC PROGRESS AND THE
PROTECTION OF THE INTERESTS OF AUTHORS

A. Right to take part in cultural life

(1) The Finnish Constitution guarantees all citizens equal opportunities to participate in all forms of cultural life. Finnish citizens have freedom of speech and the right freely to publish writings and illustrations, as well as the right to gather, without preliminary notice, to discuss common affairs or for some other purpose, and to found societies in order to pursue goals which are not against the law or good manners. The Constitution stipulates that the State shall satisfy the cultural and economic needs of the Finnish- and Swedish-speaking population according to the same guarantees.

Basic legal texts referring to the cultural rights of Finnish citizens are included in paragraphs 10 and 14 of the Finnish Constitution. In paragraph 10, it is stated that Finnish citizens shall have freedom of speech, the right to publish writings or pictorial representations without hinderance, the right to congregate without previous permission for the purpose of discussing subjects of a general nature or for other legal purposes, and to found associations which are not illegal or against the common good. Paragraph 14 contains a statute to the effect that the requirements of the Finnish- and Swedish-speaking population shall be treated on an equal basis.

The central act relating to national art administration is the Act on the promotion of art which came into force at the beginning of 1968. The Act prescribes the establishment of permanent expert bodies in art administration, at the central and regional levels, which are subordinate to the Ministry of Education. Local cultural administration, in which the principle of local self-administration is applied, is based on the Act on cultural activities in the municipalities which came into force at the beginning of 1981.

There is separate legislation for the institutions of higher education in the arts (the Act on the University of Industrial Arts, the Act on the Sibelius Academy, and the Act on the Theatre Academy) and for the state grants for musical institutes. Furthermore, there is an Act on professional chairs in art, and state artist grants according to which artists are awarded working scholarships and project scholarships. The allocation of grants to writers and translators for the free deposit of their books in public libraries is based on the Act on fellowships and support to writers and translators.

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The activities of the public libraries are based on the Act on libraries which also prescribes the grounds for state appropriations for library expenditure.

The Finnish Film Archives is a state institution established by the Act on the Finnish State Archives.

An overall reform of the legislation relating to radio and television activities is being prepared by a committee appointed by the Government.

Archaeological findings are protected in Finland by the Act on archaeological findings. The protection of architectural sites is based on the Act on the protection of buildings of cultural and historical value. The latter Act also includes some provisions relating to the protection of architectural sites. The activities of the archives is based on the Act on archives. Special legislative measures have been taken to impede the export of cultural objects. A government decision on the grounds for state support to museums has been adopted for the furtherance of museum activities in general, and of the activities of the regional museums in particular.

(2) State administration of questions related to the arts falls within the competence of the Ministry of education and, since 1974, mainly within the competence of the Arts Department of the Ministry. The function of the Arts Department is to draft the arts budget, to deal with art institutions and organizations, art academies and other education in arts, research and planning, as well as to allocate artists' pensions.

Since the beginning of the 1970s, the Ministry of Education has been directed by two ministers. The Minister of Education is primarily responsible for education, while the other Minister in the Ministry of Education is responsible for questions related to art, sport and youth affairs, popular education, museums and international relations. The latter, often known as the Minister for Cultural Affairs, is the referee in questions pertaining to art at the Council of State (Government).

The broad outlines for the cultural policy are set by Parliament which confirms the national art budget every year. Parliament has also stipulated several acts on cultural policy which relate to the organization and financing of cultural activities.

A specific art administration is based on an Act on the promotion of art which came into force at the beginning of 1968. The Act prescribes the establishment of permanent expert bodies in art administration which are subordinate to the Ministry of Education. There is a state arts committee in each field of culture and arts (the State Committees for Literature, Visual Arts, Music, Drama, Dance, Architecture, Crafts and Design, Cinema and Photographic Art). The Central Arts Committee is composed of the chairmen of the nine expert Committees and of four additional members appointed by the Government.

The function of the State arts committee is mainly to act as expert bodies for the Ministry of Education in questions relating to their field. The committees are also entrusted with the awarding of the state artists' scholarships.

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Since 1968, regional cultural administration is also based on the Act on the promotion of art. In each of the 11 provinces, a provincial arts committee has been established, which acts as the regional administrative body in the field of cultural policy within the province. Each provincial arts committee represents all branches of art and its duty is, inter alia, to award scholarships to artists working in the province and to grant allowances to various cultural institutions and organizations in the province.

In Finland the financial contribution of the municipalities to the arts and culture is almost equal to that of the State. Funds for cultural activities are mainly concentrated in the larger urban municipalities which maintain expensive cultural institutions, theatres, orchestras, libraries, art museums and music education institutions.

At present, local cultural administration, in which the principle of local self-administration is applied, is based on the Act on cultural activities in the municipalities which came into force at the beginning of 1981. In accordance with this Act, all 461 Finnish municipalities have a cultural board appointed by the Municipal Council. The municipalities receive (on the basis of this Act) state support for the expenditure that ensues from the employment of cultural workers and other cultural activities, but no support for the maintenance of arts institutions.

The activity of cultural organizations in Finland is very lively. At the national level alone, there are over 100 organizations of professional artists or amateurs in various fields of art which receive regular state financial aid for their activities. These organizations are nevertheless independent and act as pressure groups which present their views to state authorities.

Occupying a central position among the public institutions concerned with the promotion of cultural activity, independent art hobbies, education in the arts and animation are the civic colleges and workers' institutes which form a nation-wide adult education system. The activity of the civic colleges and workers' institutes is based on separate legislation and their expenses are met by their respective municipalities together with the State. A large part of the study circles of these civic colleges and workers' institutes - in some cases nearly half of the circles - are comprised of various art circles, pictorial art circles, drama groups, literature circles, choirs, film clubs etc.

Another important factor in this sector are the free civic organizations, in particular the large national cultural organizations. The activity of these organizations, too, is supported by state grants that have been legislated into effect. A significant part of the study groups of popular education organizations is connected with cultural activity and amateur art interests.

In the domain of art there function strong and independent nation-wide amateur organizations which enjoy state and municipal aid. Particularly important are the nation-wide associations of amateurs of drama and music (especially choral singing); hundreds of thousands of active members take part in the activity of these associations. Similar organized activity is also to be found in other areas; for example, the film club movement, organizations in the field of folk music and dancing and associations for the promotion of creative writing.

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The main responsibility for dealing with matters concerning the preservation of the cultural heritage rests with the Ministry of Education. Subordinate to the Ministry of Education and charged with the practical exercise of preserving the cultural heritage are several institutes which function at the level of central administration, as well as local organizations.

The governmental expert body in the field of the physical cultural environment is the National Board of Antiquities and Historical Monuments which is subordinate to the Ministry of Education. The area of competence of this authority covers those tasks which have been legislatively assigned to it and which include the protection of antiquities and buildings of considerable cultural historical interest, as well as the limitation of the exportation of cultural objects. Also, the top management and supervision of the Museum Administration are attached to the National Board of Antiquities and Historical Monuments. The Board has also delegated its power of decision mainly to the provincial central museums. Communal and private museums also take care of a number of the same tasks as the Board. The Board provides financial aid to these museums within the framework of the funds allocated to it. Furthermore, it is the task of the Board to carry out research connected with the cultural heritage. In addition, the Board restores buildings and collections of objects that are valuable from the standpoint of cultural history.

Protection of the country's intellectual heritage in the area of culture is the responsibility of the National Archives and the provincial archives, regional research libraries and the Finnish Research Centre for Domestic Languages.

Freedom of expression has been guaranteed for all Finnish citizens, artists included, by a provision of the Constitution (see item 1 above). Moreover, the Finnish Government supports artists in many ways in order that they may exercise this legal freedom.

The present grants system for artists is based on legislation enacted in 1970. In accordance with the 1970 Act, artists representing various fields of art are awarded state artist grants (fellowships and project grants). The state artist fellowships are awarded by the eight state art committees and the project grants are awarded by the Central Arts Committee which is composed of the chairmen of the various state committees. The same Act prescribes also the professional chairs in arts which presently number 11. The art professors are nominated by the President of the Republic on the recommendation of the Central Arts Committee for a fixed term of five years. The provincial arts committees also award both work and project grants in their own province. The support system is complemented by the grants awarded to writers for the free deposit of their works in libraries and by the supplementary artist pensions granted to meritorious artists to secure their income.

In addition to artists fellowships, the state art committees award annual prizes to artists in their respective field from appropriations included in the state budget for this purpose.

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From the beginning of 1982 the legislation on artists fellowships and grants was complemented by the possibility of awarding 15-year working fellowships for talented active artists with no permanent working relationship. The long-term fellowships also include a pension guarantee.

The system of arts teaching in Finland has undergone a relatively uneven development. College-level education in the arts has best been taken care of in the field of music. The country's schools of music, music colleges and conservatories receive state support on the basis of the law passed in 1968. The activity of music schools covers nearly all of the country's cities but in rural areas music teaching in a number of counties is organized in such a way that children receive this instruction in the civic colleges and workers' institutes.

Also, in the field of pictorial art and industrial art there are state-supported schools located in different parts of the country. Similar training is offered in the field of dance.

There are three state colleges in Finland which offer professional education in the arts: the Sibelius Academy which is the state college of music, the University of Industrial Arts and the Theatre College. In addition, the State maintains the Finnish Art Academy School which is the country's most important seat of learning in the field of pictorial art. Besides training designers in the industrial applications of art, the University of Industrial Arts has sections for interior decorators, film directors and other workers in the field of film-making, as well as graphic art teachers. Functioning as a part of the Finnish National Opera is the country's only professional school of dance, the Ballet School of the National Opera.

B. Right to enjoy the benefits of scientific progress and its applications

(1) There are no legal provisions relating to this issue but the scientific results are normally documented in publications which are included in the scientific libraries maintained by public funds. An exception is the product development studies of the private industries which, owing to business secrets, contain classified information.

(2) The public sector employs experts either directly or as members of committees.

(3) The public sector allocates annual grants for the promotion of scientific publications.

(4) In the field of the ethics of scientific work there are provisions pertaining, inter alia, to genetechnology and some other fields.

(5) See item 1 above.

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D. Steps taken for the conservation, development and diffusion of science and culture

- (1) See item 2 of section I.B above.
- (2) Measures have been taken to promote the popular diffusion of scientific information through, *inter alia*, the establishment of an advisory board for the divulgation of scientific information and the assignment of grant awards and project support. The Academy of Finland awards funds to information agencies and agents and has founded the magazine Tiede 2000 (Science 2000).

E. Right to the freedom of scientific research and creative activity

- (1) There are no laws or regulations relating to this issue, but every university graduate with a basic degree can pursue postgraduate studies with no limitations.
- (2) The Act on the development of higher education and the Act on the arrangement of scientific research are designed to guarantee sufficient resources for scientific research. The science sector is co-ordinated by the Science Policy Council which has been established on the basis of a governmental decree.
- (3) The annual state budget includes appropriations for the promotion of scientific societies and in particular their publications activities (see item 1 of section B above concerning library activities). The scientific associations are completely independent bodies with an umbrella organization, the Advisory Board for Scientific Associations. The activities of the Board are almost entirely financed by the State.
- (4) See item 3 above.
- (5) The greatest difficulty is the insufficiency of funds.

F. Encouragement and development of international contacts and co-operation in the scientific and cultural fields

- (1) and (2) Finland has signed agreements concerning scientific co-operation and the exchange of scientists with several countries. Finland is also a member of several international scientific organizations.

The State and the private foundations support the participation of scientists in international meetings and conferences and also the arrangement of international conferences in Finland.

- (3) The greatest difficulty is the insufficiency of funds.
